

[Report No. 185.]

IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 7, 1857.

Read twice, and committed to the Committee of the Whole on the state of the Union.

Mr. Grow, from the Committee on the Territories, reported the following bill :

A BILL

To authorize the payment for property taken or destroyed in the Territory of Kansas under authority of law or color of law.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 any property taken or destroyed in the Territory of Kansas
4 by any officer of the federal or territorial government, acting
5 or claiming to act in an official capacity, or by any person or
6 posse acting under authority of such officer, or any property
7 taken or destroyed under authority of law or color of law, the
8 owner of such property shall be paid, if not already, the value
9 thereof, with such damages as he or she may have sustained by
10 reason of such seizure or destruction.

1 SEC. 2. *And be it further enacted,* That the loss or
2 destruction as aforesaid, as well as the value of such property,
3 and the damage sustained thereby, shall be ascertained by the
4 best evidence ~~which the nature of the case will admit of,~~ and
5 which may be in the power of the party to produce ; and the
6 amount thereof, when established and ascertained according to
7 the provisions of this act, shall be paid to the sufferer or suf-
8 ferers out of the treasury of the United States.

1 SEC. 3. *And be it further enacted,* That for the most
2 speedy execution of the provisions of this act, Abraham
3 Lincoln, of Illinois, is hereby appointed a commissioner,
4 whose duty it shall be to decide upon all cases arising under
5 this act. Such commissioner shall receive as compensation
6 for his services at the rate of ten dollars per day, and actual
7 expenses, from the time he leaves home, for the time he shall
8 be actually employed.

1 SEC. 4. *And be it further enacted,* That said commis-
2 sioner, before he enters upon the duties of his office, shall take
3 the following oath, to wit : " I, Abraham Lincoln, do solemnly
4 swear that I will well and truly, according to the best of my
5 abilities, discharge the duties of commissioner, under an act of
6 Congress entitled ' An act to authorize the payment for property
7 taken or destroyed in the Territory of Kansas under authority
8 of law or color of law,' so help me God ;" upon which he may
9 appoint not to exceed two clerks and one sergeant-at-arms,

10 whose compensation shall be five dollars each per day, and
11 actual expenses for the time actually employed; and he shall
12 proceed with all practicable despatch to the Territory of Kan-
13 sas, and hold a court at such place or places in said Territory
14 as he shall deem expedient to secure the object of this act,
15 having first established such rules as well in regard to the receipt
16 of applications of claimants to compensation for losses provided
17 for by this act as a species and the degree of evidence, the
18 manner in which such evidence shall be taken and authenti-
19 cated, as shall, in his opinion, be the best calculated to obtain
20 the objects of this act, paying a due regard in the establishment
21 of such regulations as well to the claims of individual justice as
22 to the interest of the United States; which rules and regula-
23 tions shall, with the time and place said commissioner will
24 take testimony as provided by this act, be published for at
25 least four weeks successively in at least two newspapers in the
26 Territory of Kansas. Said commissioner shall have power to
27 issue subpoenas, send for persons and papers, and compel the
28 attendance of witnesses.

1 SEC. 5. *And be it further enacted*, That in all adjudica-
2 tions of the said commissioner upon the claims abovemention-
3 ed, whether such judgment be in favor of, or adverse to,
4 the claim of the applicant, the same shall be entered by his
5 clerk in a book to be provided for that purpose, a copy of
6 which, together with the evidence taken in each case, as soon

7 as the same shall be completed, shall be transmitted to each
 8 house of Congress, to be acted on in the same manner as the
 9 adjudications of the Court of Claims are now acted on.

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